(1)

(3) CF 400/-

IN THE HIGH COURT OF CHHATTISGARH AT BILASOPUR

W.P. NO. 303 **/2004**

PETITIONERS

1. Latturam Agrawal aged about 75 years, s/o. late Biltaram Agrawal, 199-B, Samta Colony, Raipur.

2. Suresh Jain, aged 49 years, son of Latturam Agrawal, Flat No. 1, Shopping Centre Chowbey Colony, Raipur.

3. Sunil Agrawal aged35 years s/o Latturam Agrawal, 199-B Samta Colony, Raipur.

4. Sanjay Kumar Jain 40 years, sonof Jagdeesh Prasad Jain 199-B Samta Colony, Raipur,

P.R. No. 2956/04
Presented by shri R.K.P. Nair
dated 29.10.04

VERSUS

RESPONDENTS.

1. The State Bank of India,

   A Banking Company registered and incorporated under the State Bank of India Act, having its Head Office at Mumbai , Branch Office at Second Floor, Ram Bhawani Jaistambh Chowk, Raipur, Popularly known as Commercial Branch Raipur, Represented through Branch Manager,

2. Union of India through Secretary Ministry of Law, justice and Company Affairs, Mantralaya, Lok Nayak Bhawan, New Delhi.

3. Secretary, Ministry of Finance, Union of India, New Delhi.

उपायुक्त एम.के. गुप्ता बिलासपुर तहसील

Received Copy
Shri Yadav
29.10.2004
Clerk to
VINAY HARIT
Senior Central Government Standing Counsel
CHHATTISGARH HIGH COURT

(2)
(4)

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN NATURE OF MANDAMUS, CERTIORARI OR/AND OTHER WRIT OF LIKE NATURE.

XI-HC-22

(63)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 303 सन् 2004

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	DIVISION BENCH: **HON'BLE SHRI A.S.VENKATACHALA MOORTHY, CJ** **& HON'BLE SHRI FAKHRUDDIN, J.** ***29/06/2004*: -** Shri Raghvendra Pradhan counsel for the petitioners. Shri R.S. Jaiswal counsel for the respondent No.1. Shri Vinay Harit, Sr. Standing Counsel for the Union of India, for respondent No.2. Following the decision of the Supreme Court in the matter of **Mardia Chemical Ltd. Vs. Union of India (2004 AIR SCW 2541)**, the writ petition stands dismissed. However, it is made clear that where a secured creditor has taken action under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in such cases it would be open to borrowers to file appeals under Section 17 of the Act within the limitation as prescribed therefor, to be counted with effect from today. Sd/- Chief Justice Sd/- Fakhruddin Judge	

[पीछे देखिये